

West's Tennessee Code Annotated

Title 40. Criminal Procedure

Chapter 39. Offender Registration and Monitoring

Part 2. Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking

Act of 2004 (Refs & Annos)

T. C. A. § 40-39-216

§ 40-39-216. Public libraries; access restrictions

Effective: July 1, 2017

[Currentness](#)

(a) Public library boards shall have the authority to reasonably restrict the access of any person listed on the sexual offender registry. Such authority may be delegated by the board to a library administrator.

(b) In determining the reasonableness of the restrictions, the board shall consider the following criteria:

(1) The likelihood of children being present in the library at the times and places to be restricted;

(2) The age of the victim of the offender; and

(3) The chilling effect of the use of the library by other patrons if the offender is not restricted.

(c) Nothing in this section shall prevent the board from imposing a total ban of the offender's access to a public library so long as the criteria in subsection (b) are considered.

(d) The restrictions of this section shall be effective upon the mailing of notice to the address of the offender as listed on the sexual offender registry. The notice shall state with specificity, the time and space restrictions. The board, or if so delegated, the library administrator, shall state in the notice that the criteria in subsection (b) have been considered.

(e) A registered sex offender who enters upon the premises of a public library in contravention of the restrictions five (5) days after mailing of the notice may, at the discretion of the library administrator, be prosecuted for criminal trespass pursuant to [§ 39-14-405](#).

Credits

2011 Pub.Acts, c. 287, § 1, eff. May 27, 2011; 2017 Pub.Acts, c. 126, § 15, eff. July 1, 2017.

T. C. A. § 40-39-216, TN ST § 40-39-216

Current with laws from the 2019 First Reg. Sess. of the 111th Tennessee General Assembly, eff. through July 7, 2019. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code

and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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